



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE for Permit Application

30-Day Notice

Issue Date: September 29, 2003

Expiration Date: October 29, 2003

Corps of Engineers Action ID: 200300497

Oregon Division of State Lands Number: RF-30926

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
CENWP-OP-GE (Ms. Michele E. Hanson)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401

Applicant: Oregon Department of Transportation
63034 OB Riley Road
Bend, Oregon 97701

Location: The site transverses the SE ¼ Section 4, Township 37 South, Range 7 East to the SW ¼ Section 25, Township 37 South, Range 7 East, over Doak Mountain, Klamath County, Oregon. The work would take place on State Highway (Hwy) 140 beginning at Milepost (MP) 50.7 and ending at MP 57.06 at Howard Bay.

Project Description: The Oregon State Department of Transportation (ODOT) proposes to discharge fill material into Upper Klamath Lake, Denny Creek, and adjacent wetlands. Approximately 3.24 acres of lake (below the ordinary high water mark), 1.52 acres of wetland, 0.03 acres of creek, and 0.04 acres of irrigation ditches would be filled.

The affected wetlands are characterized as riverine, forested and shrub-scrub wetlands. ODOT proposes to improve a 6.3-mile segment of Hwy. 140, also known as the Lake of the Woods Highway, to meet design and safety standards.

Work would include widening paved travel lanes and shoulders, paving shoulders, constructing truck-climbing lanes on both sides of Doak Mountain, lengthening existing chain-up lanes, extending existing box culverts, and upgrading guardrails, signing, and striping. At the northwestern end of the project, shallow ditches currently used for flood irrigation would be filled as the travel lanes and shoulders are widened. In addition, three culvert crossings including Denny Creek would be extended to allow for the road widening. At the southeastern end of the project adjacent to Howard Bay, the existing chain-up area would be widened. This would result in the discharge of 3.24 acres of fill into Upper Klamath Lake.

ODOT is requesting that the length of any permit authorization be extended over a period of four years.

Mitigation: The applicant has provided a proposed compensatory wetland mitigation plan to the Corps for unavoidable impacts to wetlands and waters.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: The purpose of the project is to provide safe transportation for the traveling public.

Drawings: Eleven (11) are attached.

Additional Information: Additional information may be obtained from Ms. Michele E. Hanson, Project Manager, U.S. Army Corps of Engineers at (541) 465-6878, michele.e.hanson@nwp01.usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the described activity may affect endangered species or their critical habitat designated as designated under the Endangered Species Act of 1973 (87 Stat. 844). A final permit decision will not be made until consultation, as required under Section 7 of the Act, is completed.

Cultural Resources: There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development, there is little likelihood the proposed project will affect an eligible or potentially eligible historic property or other type of cultural resource.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain

values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have

PUBLIC NOTICE

Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 200300497

Notice Issued: September 29, 2003

Oregon Division of State Lands Number: RF-30926

Written Comments Due: October 29, 2003

WHO IS THE APPLICANT: Oregon Department of Transportation

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

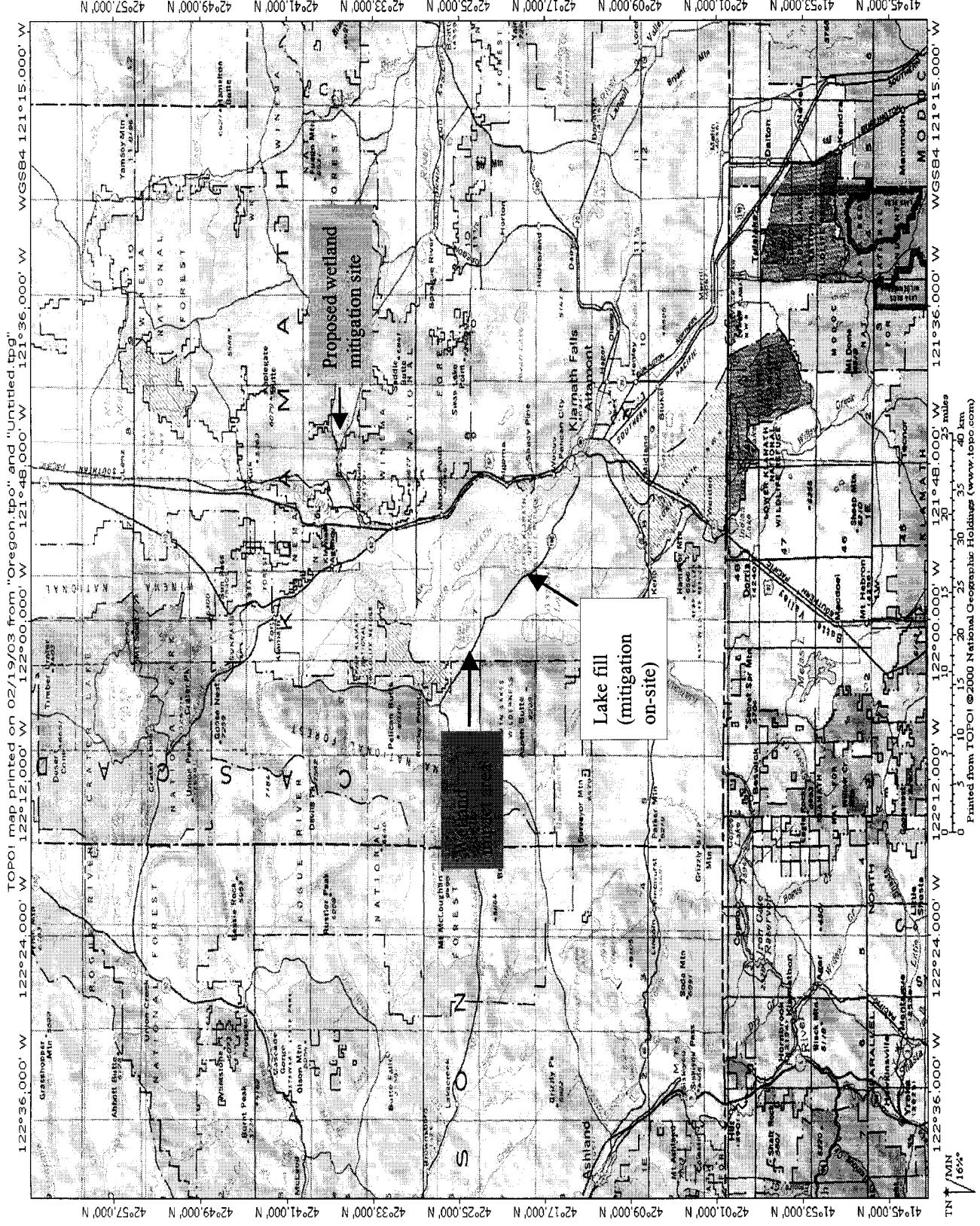
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **October 29, 2003**. Written comments should be mailed to Oregon Department of Environmental Quality, 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x), or plain text format at deq.info@deq.state.or.us. Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



Oregon Department of Transportation

63034 O.B. Riley Road
Bend, Oregon 97701
Phone: (541) 388-6263 Fax: (541) 385-0476

Figure 1 (Location Map)

Lake of the Woods (Doak Mtn.) Wetland - Lake Impact/Mitigation Site

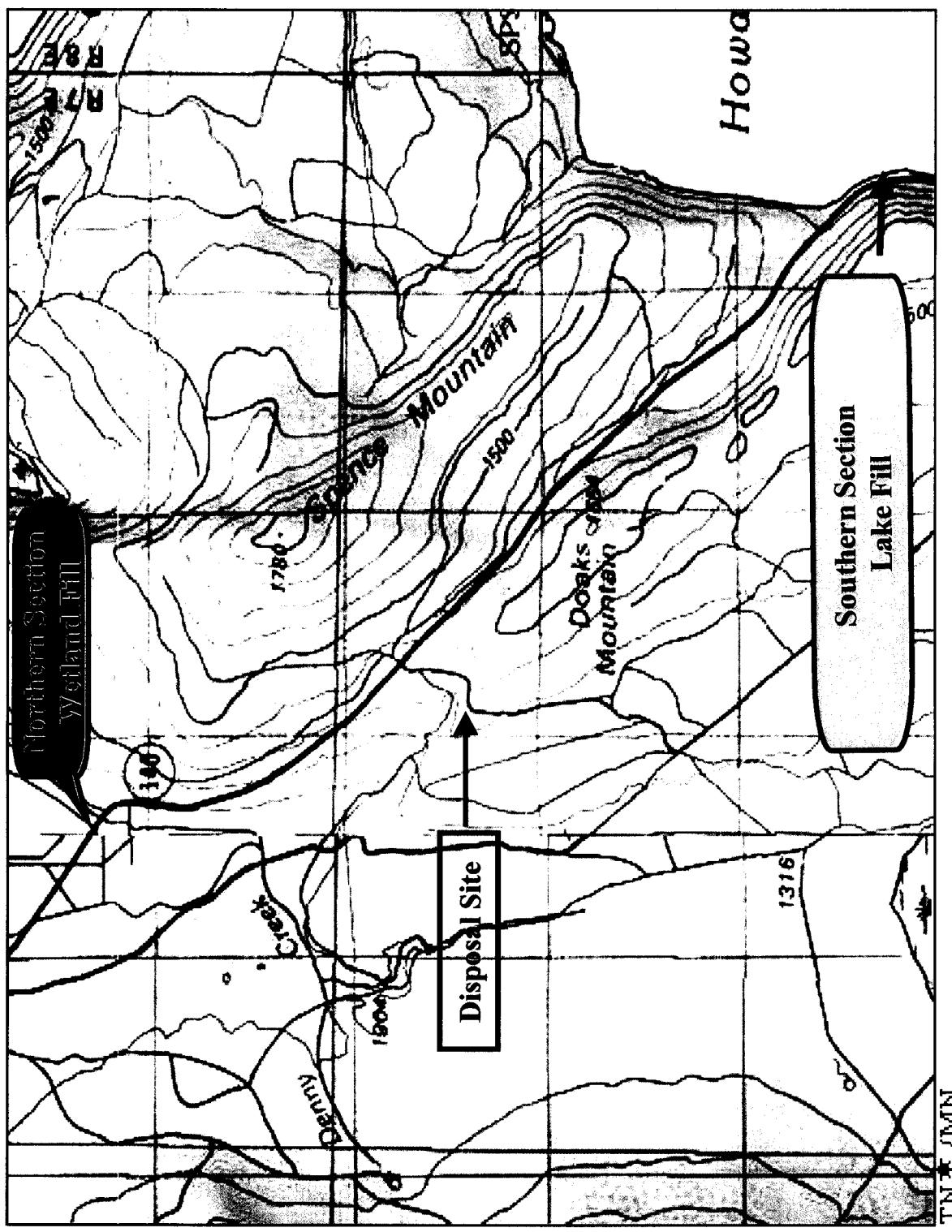
LEGEND

Date: June 3, 2003
Source: USGS Quad

Figure 1 (Location Map)

Lake of the Woods (Doak Mtn.)

Wetland - Lake Impact/Mitigation Site



Oregon Department of Transportation

63034 O.B. Riley Road
Bend, Oregon 97701
Phone: (541) 388-6263 Fax: (541) 385-0476

Figure 2

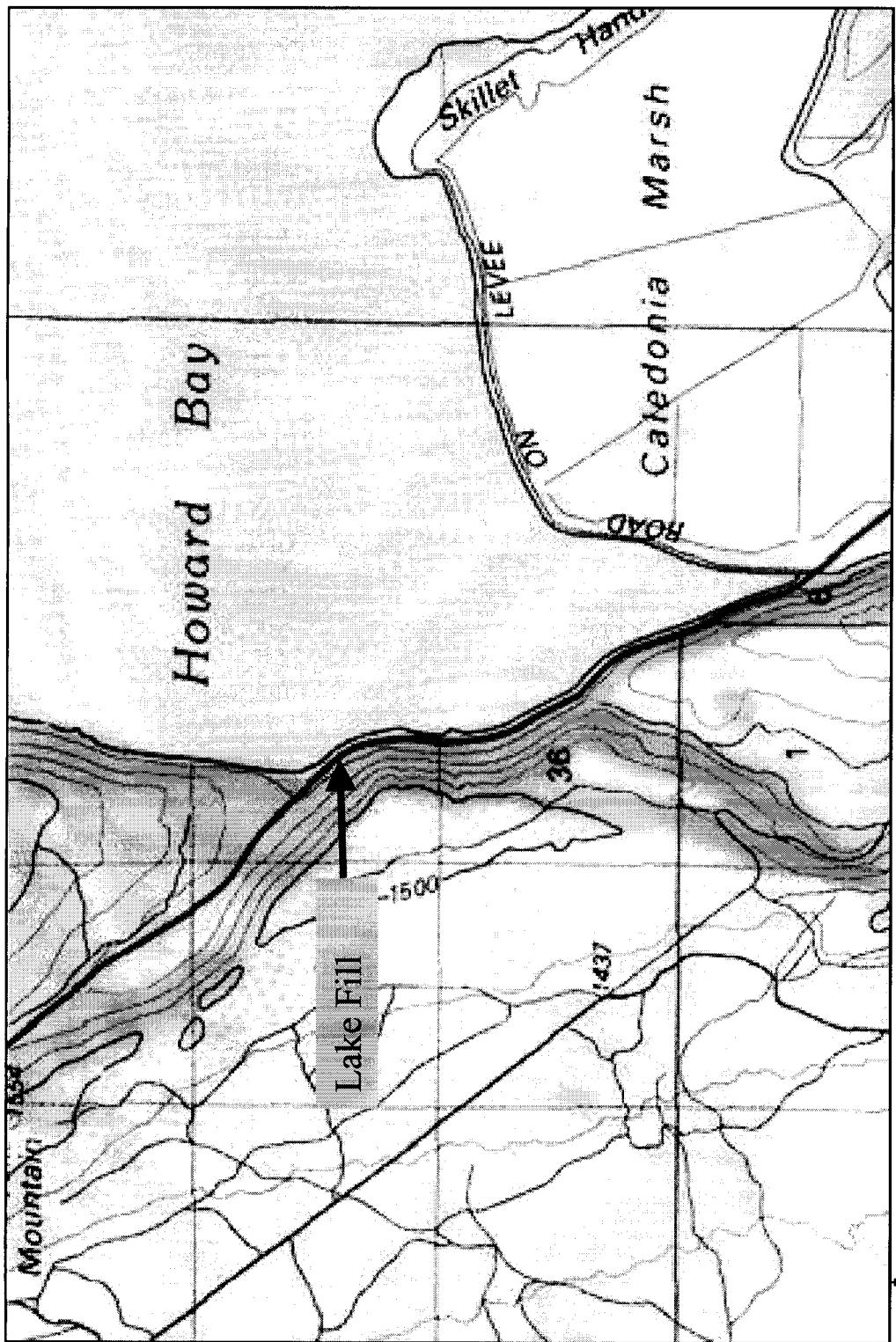
Lake of the Woods (Doak Mtn.)
Site Map

LEGEND

Date: July 3, 2003
Source: USGS Quad

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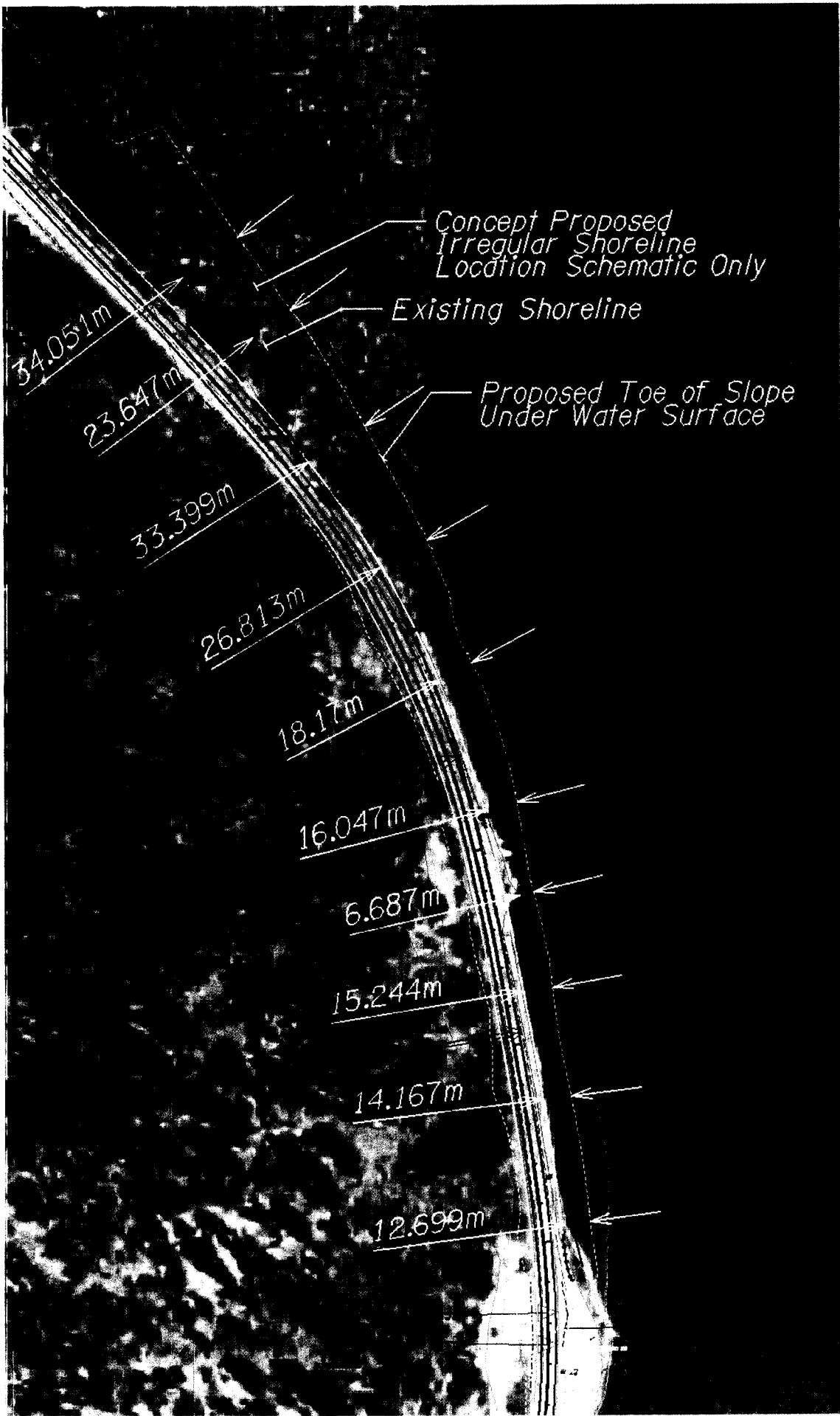
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Oregon Department of Transportation

63034 O.B. Riley Road
Bend, Oregon 97701
Phone: (541) 388-6263 Fax: (541) 385-0476

LEGEND

Date July 24, 2003
Source USGS Quad
EA#



36V-125

LAKE FILL CONSTRUCTION SEQUENCE

Approximate limits - Sta. 45+820 to 46+450,
subject to adjustment by the Engineer.

FIRST IN WATER WORK SEASON JULY 1, 2004
- SEPTEMBER 15, 2004 - STAGE 1

- 1) Place and submerge geogrid.
- 2) Place initial 300 mm anchor lift of Stone Embankment Material (SEM) through water as needed over a minimum work area as indicated herein.

3) Place SEM in 900 mm horizontal lifts (through water as needed) up to Elev. 1263.0 m min or 1.0 m above late level, whichever is greater. Significant amounts of bearing capacity failures, slope stability failures and settlement of the loaded soils are anticipated. (See SF00290 For Environmental Relations)

4) Limit the number of 900 mm lifts in each minimum work area to not more than one per 24 hour period.

5) Reconstruct SEM in 900 mm horizontal lifts (through water as needed) up to Elev. 1263.0 m min or 1.0 m above late level, whichever is greater, as directed by the Engineer through-out the first in-water work period.

SECOND IN WATER WORK SEASON JULY 1, 2005 - SEPTEMBER 15, 2005 - STAGE 2

6) Reconstruct SEM in 900 mm horizontal lifts (through water as needed) up to Elevation 1263.0 m min or 1.0 m above late level, whichever is greater, as needed to offset bearing capacity failures, slope stability failures and settlement.

7) Incorporate Logs W/Rock Wads in step 6. (See SF1091 And sheets GHQ-1 through GHQ-3)

8) Limit the number of 900 mm lifts in each minimum work area to not more than one per 24 hour period.

9) Place fish habitat cable and gravel at shoreline. (See SF1091 And sheets GHQ-1 through GHQ-3)

10) Place settlement plates at locations as directed in the plans and specifications, at E. 1263.0.

(Continued On Sheet GHQ-2)

All Dimensions Are In Meters (m)

Unless Otherwise Noted.

**LAKE OF THE WOODS (DOAK MOUNTAIN)
LAKE OF THE WOODS HIGHWAY
Klamath County**

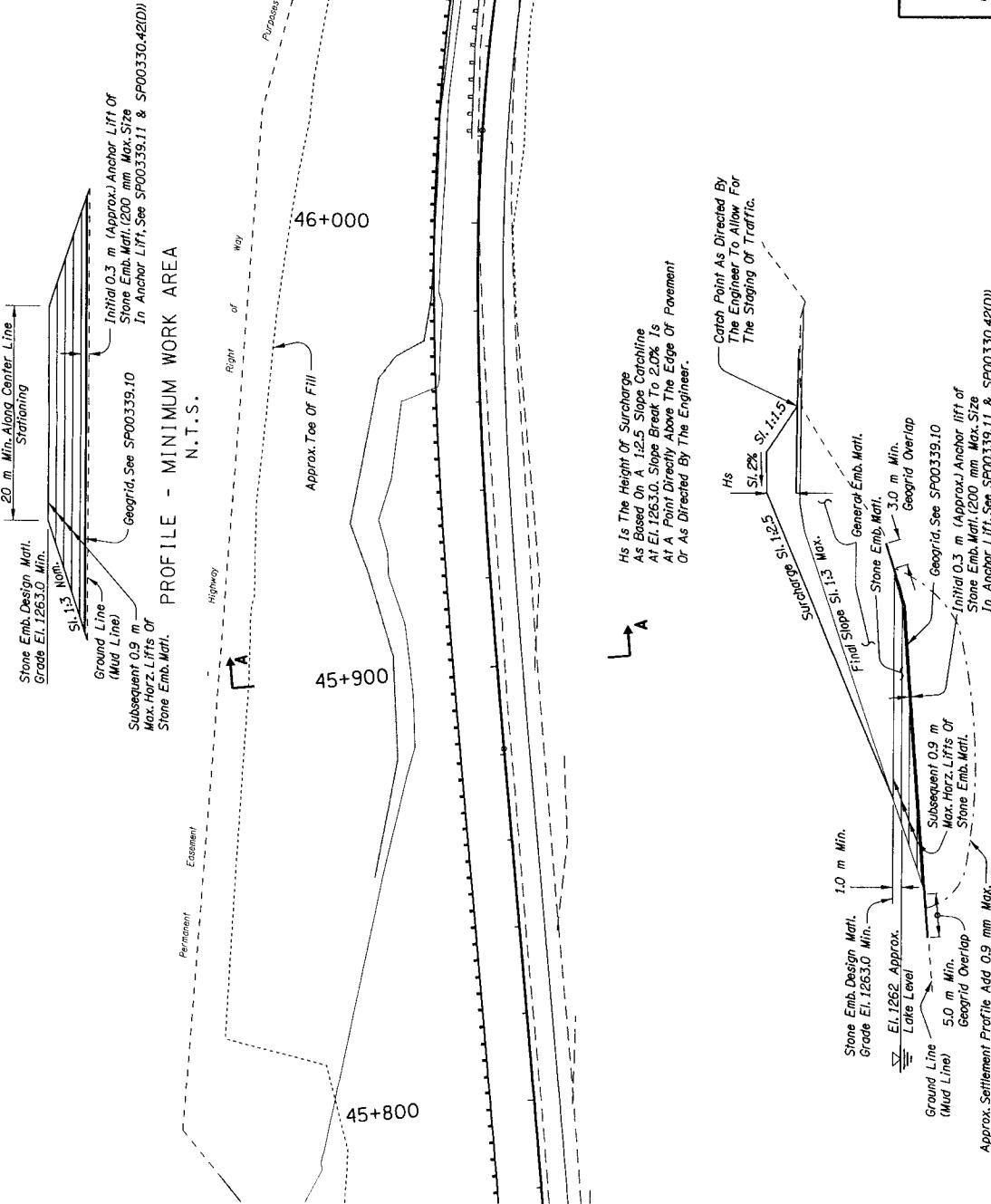
Reviewed By - René Hentzira

Designed By - Pete Castro

Drafted By - Joseph J. Rodriguez

SHEET NO.
GHN-1

DRAWING NO.
VIEW 1



State of Oregon
Division of State Lands

- 11) Begin general embankment construction including surcharge.
- 12) Surcharge construction shall be accomplished by overbuilding the embankment using slopes of 1.0 vertical to 2.5 horizontal on the lake side per SS00330 and SP00330.
- 13) Continue with general embankment construction including surcharge.
- 14) Upon completion of embankment and surcharge or when directed by the Engineer, install erosion control measures.
- 15) Allow settlement period of 180 days to elapse. Settlement period is subject to decrease or increase as determined by the Engineer. Silver-Till techniques may be required.
- 16) Add embankment up to substrate elevation as needed to offset slope stability failures and settlement or remove surcharge as required to offset excess surcharge of embankment. Repair slope failures as directed by the Engineer.
- 17) Grade slopes to final configuration of not steeper than 1.0 vertical to 3.0 horizontal.

- EMBANKMENT CONSTRUCTION ABOVE ELEVATION 1265.0 m - STAGE 2**
- EMBANKMENT CONSTRUCTION BELOW Lake Level Shall Be Done During The In Water Break Period.**

46+300
46+200
46+100

Approx. Toe Of Fill

B

Permanent Embankment - Highway Right of Way - Purpose

B

General Emb. Matl.
Surcharge S1:1:2.5
Stone Emb. Matl.
Final Slope S1:1.3 Max.

1.0 m Min.

Stone Emb. Design Matl.
Grade El: 1263.0 Min.

El: 1262 Approx.

Lake Level

Catch Point As Directed By
As Based On A 1:2.5 Slope Criterion
At El: 1265.0. Slope Break To 2.0% Is
At A Point Directly Above The Edge Of Pavement
Or As Directed By The Engineer.

Hs Is The Height Of Surcharge
As Based On A 1:2.5 Slope Criterion
At El: 1265.0. Slope Break To 2.0% Is
At A Point Directly Above The Edge Of Pavement
Or As Directed By The Engineer.

Geogrid Overlap
Geogrid, See SP00339.10
Initial 0.3 m (Aprox.) Anchor lift of
Stone Emb. Matl. (200 mm Max. Size
In Anchor Lift, See SP00339.11 & SP00330.42(D))

Subsequent 0.9 m
Max. Horiz. Lifts Of
Stone Emb. Matl.

Approx. Settlement Profile Add 0.9 mm Max.
Lifts Of Stone Emb. Matl. As Needed To Obtain
Stone Emb. Matl. Design Grade

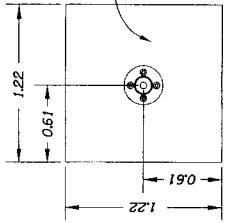
SECTION B-B
SCALE 1:250

OREGON DEPARTMENT OF TRANSPORTATION	
GEO/HYDRO SECTION	
LAKE OF THE WOODS (DOAK MOUNTAIN)	
LAKE OF THE WOODS HIGHWAY	
KLAMATH COUNTY	
Reviewed By - Rene Renteria	BRIDGE NO.
Designed By - Pete Castro	SHEET NO.
Drafted By - Joseph J. Rodriguez	GHN-2
DRAWING NO. GHN-2	
LAKE FILL DETAILS	
OREGON July 25, 1995 Pete Castro Expires December 31	

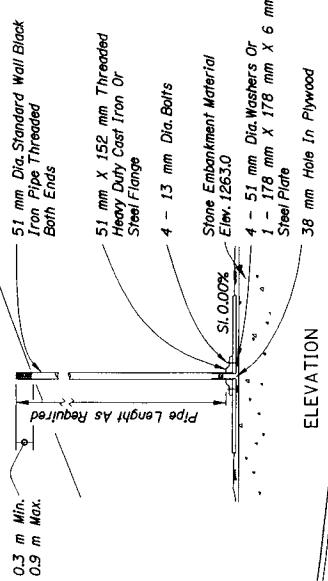
Settlement Plate Locations And Abandonment:

Settlement plates are to be located on 60 m spacing (nominal) with the first at Station 45+840 and the last at Station 46+380. The offset left of roadway centerline will be such that the plates are located mid-width of the Stone Embankment Material pad at El. 1263.0. The base of the settlement plates shall be located at El. 1263.0 on the Stone Embankment Material. The top of the 51 mm dia. pipe shall protrude a minimum of 0.3 m and a maximum of 0.9 m above the 1:2.5 surcharge grade.

At a time directed by the Engineer, between the beginning of Construction Sequence 16) and the completion of Construction Sequence 17), abandon the settlement plates by cutting the 51 mm dia. pipe 0.3 m below the 1:5 final grade with a pipe cutter followed by threading and affixing a pipe cap.



PLAN



SETTLEMENT PLATE

END OF PROJECT
STA. 46+640 =
M.P. 57.06

46+600

46+500

46+400

C

Permanent Erosion -
Highway Right Of Way Purposes

Approx. Toe of Fill

46+300

State of Oregon
Division of State Lands

Settlement plates are to be located on 60 m spacing (nominal) with the first at Station 45+840 and the last at Station 46+380. The offset left of roadway centerline will be such that the plates are located mid-width of the Stone Embankment Material pad at El. 1263.0. The base of the settlement plates shall be located at El. 1263.0 on the Stone Embankment Material. The top of the 51 mm dia. pipe shall protrude a minimum of 0.3 m and a maximum of 0.9 m above the 1:2.5 surcharge grade.

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H_s Is The Height Of Surcharge
As Based On A 1:2.5 Slope Catchline
At El. 1263.0. Slope Break To 2.0% Is
At A Point Directly Above The Edge Of Pavement
Or As Directed By The Engineer.

General Emb. Matl.
Surcharge Si. 1:2.5
Stone Emb. Matl.
Final Slope Si. 1:3 Max.

1.0 m Min.
Stone Emb. Design Matl.
Grade El. 1263.0 Min.

5.0 m Min.
Geogrid Overlap

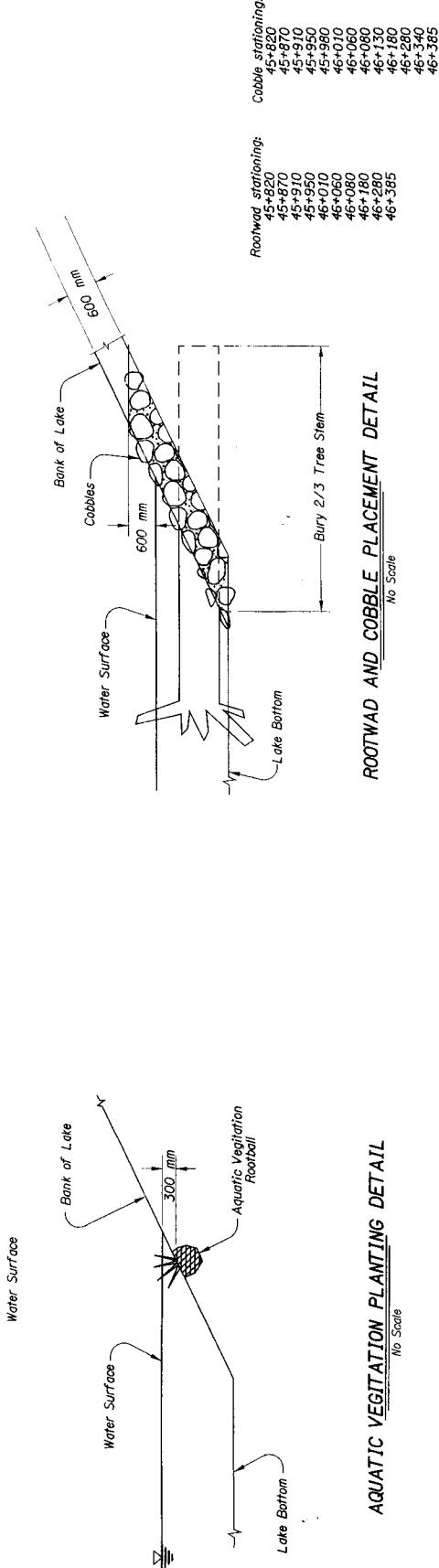
3.0 m Min.
Geogrid Overlap

Initial 0.3 m (approx.) Anchor lift of
Stone Emb. Matl. (200 mm Max. Size
In Anchor Lift. See SP00339.11 & SP00330.42(D))

Approx. Settlement Profile add 0.9 mm Max.
Lifts Of Stone Emb. Matl. As Needed To Obtain
Stone Emb. Matl. Design Grade

SECTION C-C
SCALE 1:250

OREGON DEPARTMENT OF TRANSPORTATION	
GEODE HYDRO SECTION	
LAKE OF THE WOODS (DOAK MOUNTAIN)	
LAKE OF THE WOODS HIGHWAY	
KLAMATH COUNTY	
Reviewed By - René Renteria	Bridge No.
Drafted By - Joseph J. Rodriguez	SHEET NO.
Expires December 31, 1995	
LAKE FILL DETAILS	
BRIDGING NO. GHN-3	



Note:

Place 10 rootwads with logs attached by stationing as depicted in the plan and X-section details drawing or as directed by Engineer.

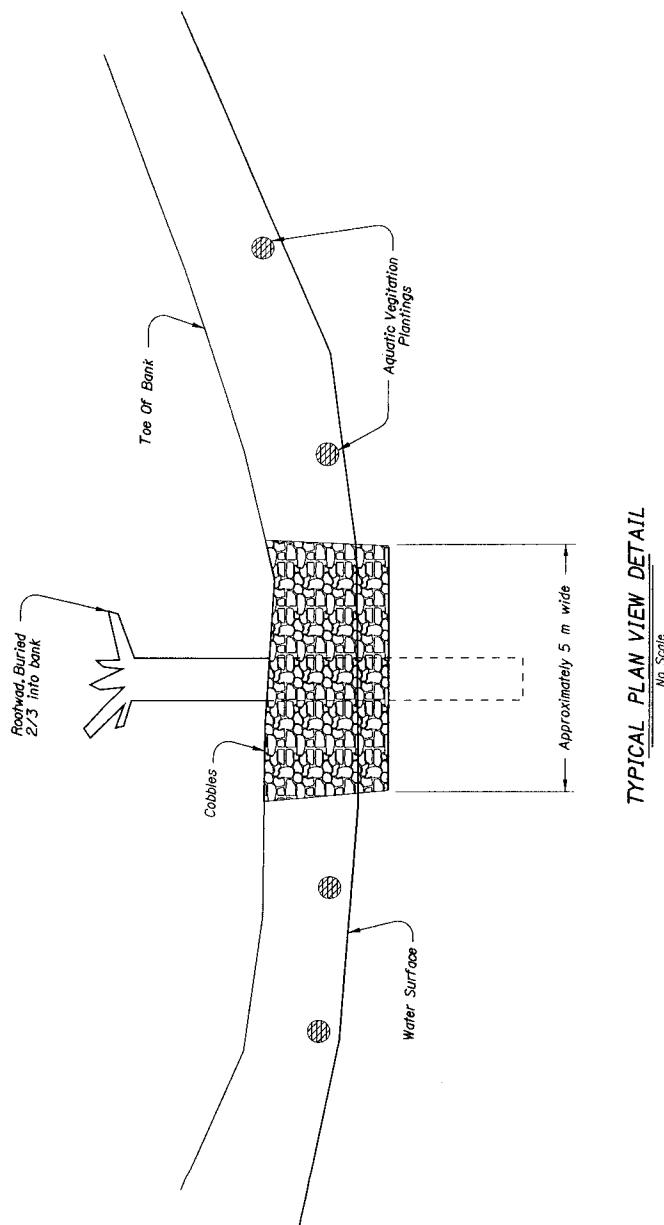
Place 200 Aquatic Plant Rootballs (100 Bur-reed randomly along the proposed shoreline. Plants will come from a source in local area as directed by the Engineer.

Place cobbles by stationing or as directed by the Engineer. Cobbles will be clean and well graded from 75mm to 300mm, or as directed by the Engineer.

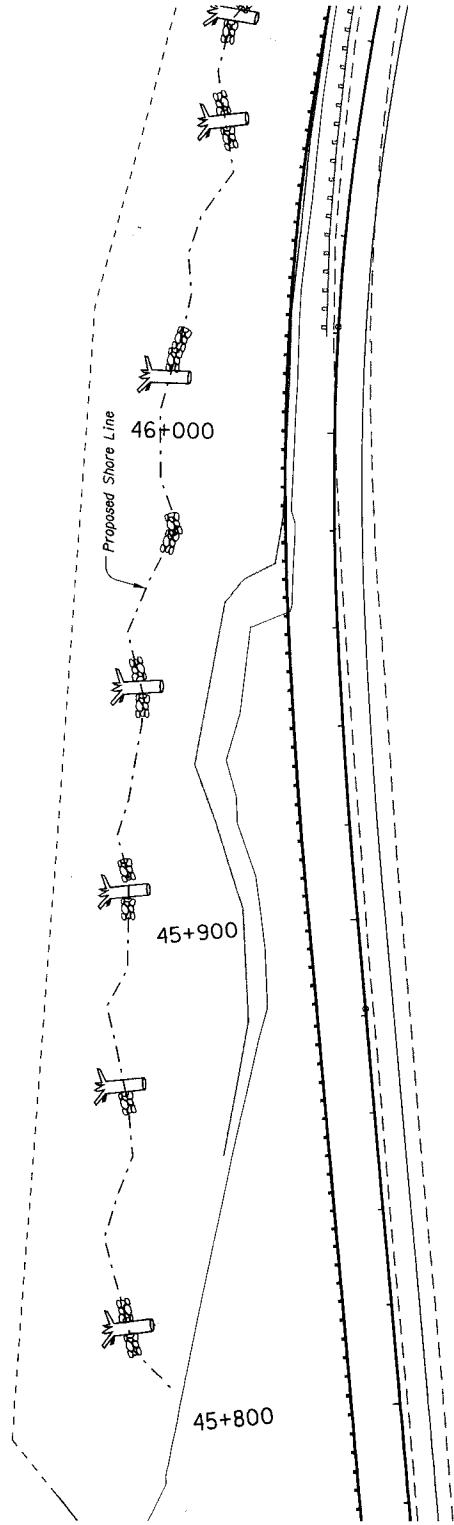
All Dimensions Are In Meters (m)
Unless Otherwise Noted.

OREGON DEPARTMENT OF TRANSPORTATION	
GEO HYDRO SECTION	
LAKE OF THE WOODS DOAK MOUNTAIN	
LAKE OF THE WOODS HIGHWAY KLAMATH COUNTY	
BRIDGE NO.	
DESIGNED BY - Lance Clark	DRAFTED BY - Joseph J. Rodriguez
SHEET NO.	GHH-1
EXPIRES: 12-31-03	DRAWING NO.
WATERWAY ENHANCEMENT DETAILS	

VIEW 1



Large Wood Placement and Aquatic Vegetation plantings
on new shoreline



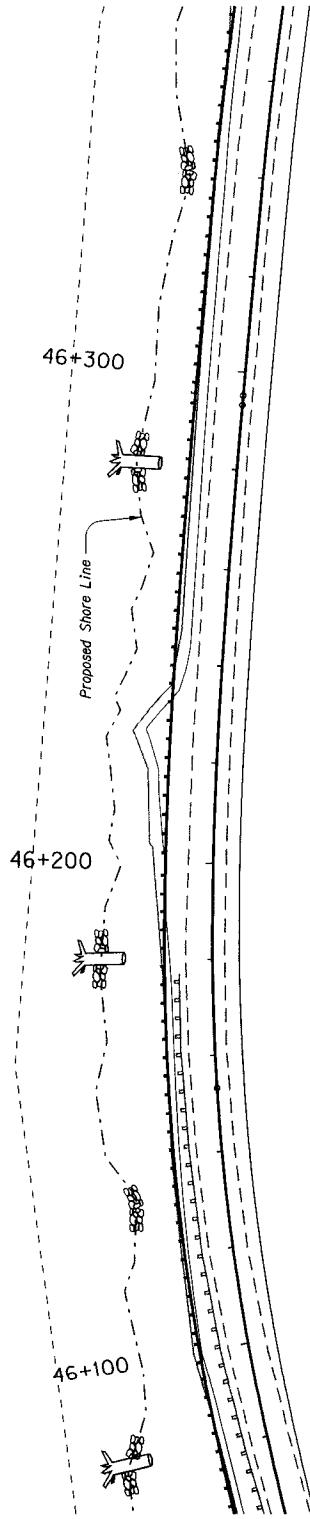
All Dimensions Are In Meters (m)
Unless Otherwise Noted.

OREGON DEPARTMENT OF TRANSPORTATION	GEO/HYDRO SECTION
LAKE OF THE WOODS (OAK MOUNTAIN)	KLAMATH COUNTY
DESIGNED BY - Lance Clark	BRIDGE NO.
DRAFTER BY - Joseph J. Rodriguez	SHEET NO.
LANCE A. CLARK	GHH-2
EXPIRES: 12-31-03	DRAWING NO.
WATERWAY ENHANCEMENT	



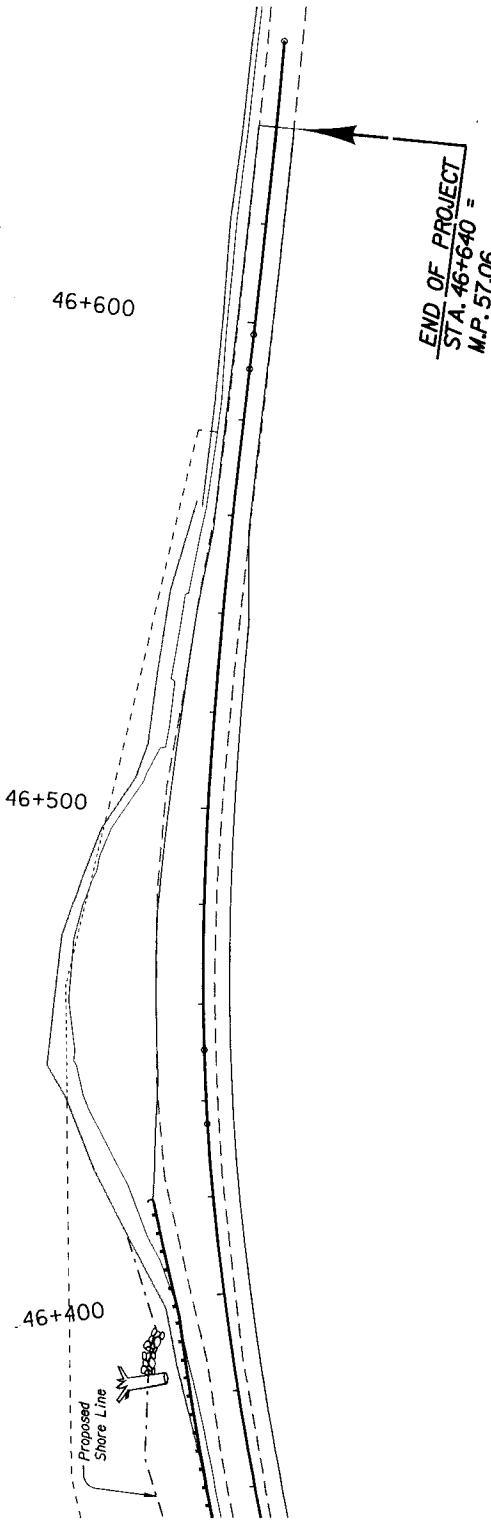
EXPIRES: 12-31-03

VIEW 2



All Dimensions Are In Meters (m) Unless Otherwise Noted.	
OREGON DEPARTMENT OF TRANSPORTATION GEO/HYDRO SECTION	
LAKE OF THE WOODS (DOAK MOUNTAIN) LAKE OF THE WOODS HIGHWAY KLAMATH COUNTY	
REGISTERED PROFESSIONAL ENGINEER 49675PE	BRIDGE NO.
LANCE A. CLARK	SHEET NO.
January 23, 2003	GHI-3
LANCE A. CLARK	DRAWING NO.
EXPIRES: 12-31-03	
WATERWAY ENHANCEMENT	

VIEW 3



All Dimensions Are In Meters (m) Unless Otherwise Noted.	
OREGON DEPARTMENT OF TRANSPORTATION GEO/HYDRO SECTION	
LAKE OF THE WOODS/OAK MOUNTAIN LAKE OF THE WOODS HIGHWAY KLAMATH COUNTY	
BRIDGE NO.	
Designed By - Lance Clark	Drawn By - Joseph J. Rodriguez
SHEET NO.	GHI-4
VIEW NO.	4
EXPIRES:	12-31-03
WATERWAY ENHANCEMENT	

